



07-27-06

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PTO/SB/21 (09-04)

1632 #

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	09/622,452
	Filing Date	October 31, 2000
	First Named Inventor	David B. Weiner
	Art Unit	1632
Total Number of Pages in This Submission	Examiner Name	Wehbe, Anne Marie Sabrina
	Attorney Docket Number	UPAP0011-100

**ENCLOSURES (check all that apply)**

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached/Authorized <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Supplemental Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Forms PTO SB/08A and SB/08B (3 pp.); (27) References Cited, (27) References Enclosed.
<b>Remarks</b> <b>EXPRESS MAIL LABEL NO: EV772144122US</b> <b>DATE OF DEPOSIT: 1/25/2006</b>		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm	Cozen O'Connor		
Signature			
Printed Name	Mark DeLuca		
Date	July 25 <sup>th</sup> 2006	Reg. No.	33,229

**CERTIFICATE OF EXPRESS MAIL**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as EXPRESS MAIL LABEL NO. EV513561025US in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below..

Signature			
Typed or printed name		Date	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**FEE TRANSMITTAL**  
**for FY 2006**

☐ Applicant claims small entity status. See 37 CFR 1.27

<b>TOTAL AMOUNT OF PAYMENT</b>	<b>(\$)</b> 180.00
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**Complete if Known**

Application Number	09/622,452
Filing Date	April 19, 2006 10/31/2006
First Named Inventor	David B. Weiner
Examiner Name	To Be Determined
Art Unit	To Be Determined
Attorney Docket No.	UPAP0011-100

**METHOD OF PAYMENT (check all that apply)**

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☒ Other (please identify) : Deposit Account

☒ Deposit Account Deposit Account Number: 50-1275 Deposit Account Name: Cozen O'Connor

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) ☒ Credit any overpayments

Under 37 CFR 1.16 and 1.17

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**FEE CALCULATION**

**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee(\$)	Fee(\$)	Small Entity Fee(\$)	Fee(\$)	Small Entity Fee(\$)	
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0	0	0	0	_____

**2. EXCESS CLAIM FEES**

Fee Description	Small Entity Fee (\$)	Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

**Total Claims**      **Extra Claims**      **Fee(\$)**      **Fee Paid (\$)**

\_\_\_\_\_ -20 or HP= \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_

HP = highest number of total claims paid for, if greater than 20.

**Indep. Claims**      **Extra Claims**      **Fee(\$)**      **Fee Paid (\$)**

\_\_\_\_\_ - 3 or HP= \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_

HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
_____	- 100 = _____	/ 50 = _____ (round up to a whole number) x _____	_____ = _____	_____

**4. OTHER FEE(S)**

	Fees Paid (\$)
Non-English Specification, \$130 fee (no small entity discount)	_____
Other (e.g., late filing surcharge) : Fee for Information Disclosure Statement	180.00

**SUBMITTED BY**

Signature		Registration No. (Attorney/Agent)	33,229	Telephone	215-665-2000
Name (Print/Type)	Mark DeLuca	Date	July 25 2006		



DOCKET NO: UPAP0011-100 (K1765)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: **David B. Weiner et al.**

Serial No.: **09/622,452**

Group Art Unit: **1632**

Filing Date: **October 31, 2000**

Examiner: **Anne Marie Sabrina Wehbe**

For: **Vaccines, Immunotherapeutics and Methods for using the same**

Via Express Mail: **EV772144122US**

Date of Deposit: **7/25/2006**

**Mail Stop Amendment**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Pursuant to 37 C.F.R. §§ 1.56 and in accordance with 37 C.F.R. §§ 1.97 and 1.98, information relating to the above-identified application is hereby disclosed, the Examiner in charge of the above-identified application is requested to consider and make of record the references listed on the PTO Forms SB/08A and SB/08B, formerly known as PTO Form 1449 submitted herewith.

Inclusion of the information submitted herewith is not to be construed as an admission that the information is material as that term is defined in 37 C.F.R. § 1.56(b).

In accordance with 37 C.F.R. § 1.97(g), the filing of this Supplemental Information Disclosure Statement shall not be construed to mean that a search has been made.

**This Supplemental Information Disclosure Statement is being filed:**

- ☐ within three months of the filing date of the patent application.
- ☐ within three months of the date of entry into the national stage as set forth in 37 C.F.R. § 1.491 of the international application.
- ☐ **before** the mailing date of a first Office Action on the merits.
- ☐ **before** the mailing date of a first Office Action on the merits with the filing of a Request for Continued Examination under § 1.114.

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- ☒ after the mailing date of a first Office Action on the merits or after the filing of a Request for Continued Examination under § 1.114, but before the mailing date of a Final Office Action under 37 C.F.R. § 1.116 or a Notice of Allowance under 37 C.F.R. § 1.311, and accordingly is accompanied by:
- ☐ the Statement under 37 C.F.R. § 1.97(e) (see "Statement" below);
- or**
- ☒ the Fee of \$180.00 set forth in 37 C.F.R. § 1.17(p); or
- ☐ No fee is owed by the applicant(s).
- ☐ In accordance with 37 C.F.R. § 1.129(a), this Information Disclosure Statement is being filed in connection with the ☐ first or ☐ second After Final Submission, and accordingly is accompanied by the Statement under 37 C.F.R. § 1.97(e) (see "Statement" below) and the fee of \$180.00 as set forth in 37 C.F.R. § 1.17(p), is attached.
- ☐ after the mailing date of a Final Office Action under 37 C.F.R. § 1.116 or a Notice of Allowance under 37 C.F.R. § 1.311, but before, or simultaneously with, the payment of the Issue Fee, and accordingly is accompanied by the Statement under 37 C.F.R. § 1.97(e), and the Fee of \$180.00 set forth in 37 C.F.R. § 1.17(p).
- ☒ Copies of the references listed on the attached PTO Forms SB/08A and SB/08B, formerly known as PTO Form 1449, are enclosed.

**EXCEPT THAT:**

- ☐ In view of the voluminous nature of references, and the likelihood that these reference are available to the Examiner, copies are not enclosed herewith.
- ☐ In accordance with 37 C.F.R. § 1.98(d), copies of the following references listed on the attached PTO Form SB/08A and PTO Form SB/08B, formerly known as PTO Form 1449 are not enclosed herewith because they were previously cited by or submitted to the U.S. Patent and Trademark Office in patent application(s) @@ for which a claim for priority under 35 U.S.C. § 120 have been made in the instant application.
- ☐ If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

**Statement under 37 C.F.R. § 1.97(e)**

- ☐ The undersigned attorney hereby states that each item information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign patent application not more than three months prior to the filing of the Information Disclosure Statement.

**Statement under 37 C.F.R. § 1.704(d)**

- ☐ The undersigned attorney hereby states that each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and the communication was not received by any individual designated in § 1.56(c) more than 30 days prior to the filing of the Information Disclosure Statement.

**Fees**

- ☐ No Fee is owed by the applicant(s).
- ☒ The Supplemental Information Disclosure Statement Fee of \$180.00 under 37 C.F.R. § 1.17(p) is enclosed herewith.
- ☐ The Petition Fee of \$130.00 under 37 C.F.R. § 1.17(i)(1) is enclosed herewith.

**Method of Payment of Fees**

- ☐ Attached is a check in the amount of \$\_\_\_\_\_. This form is submitted in duplicate.
- ☒ Charge Deposit Account No. 50-1275 in the amount of \$180.00. This form is submitted in duplicate.
- ☒ Please charge any deficiency or credit any overpayment to Deposit Account 50-1275.
- ☐ No fee or Statement is required under 37 C.F.R. § 1.97(b) since no First Office Action on the merits has been received by the Applicant.

Dated:

July 24<sup>th</sup>, 2006

COZEN O'CONNOR, P.C.  
1900 Market Street, 5<sup>th</sup> Floor  
Philadelphia, PA 19103-3508  
(215) 665-2000 – Telephone  
(215) 665-2013 - Facsimile

Respectfully submitted,



Mark DeLuca  
Registration No. 33,229



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Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 3

**Complete if Known**

Application Number	09/622,452
Filing Date	October 31, 2000
First Named Inventor	David B. Weiner
Art Unit	1633
Examiner Name	Anne Marie S Wehbe
Attorney Docket Number	UPAP0011-100

**U.S. PATENT DOCUMENTS**

Examiner Initials *	Cite No. <sup>1</sup>	Document Number	Publication/Issue Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code <sup>2</sup> (if known)			
	1	US-5,962,428	10-05-1999	Carrano et al.	
	2	US-5,739,118	04-14-1998	Carrano et al.	
	3	US-6,197,755	03-06-2001	Carrano et al.	
	4	US-6,417,328	07-09-2002	Alnemri	
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**FOREIGN PATENT DOCUMENTS**

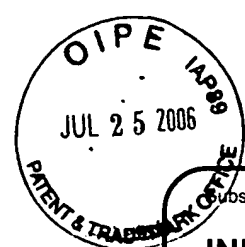
Examiner Initials *	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date/Filing Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)				
	5	WO 99/43839	09-02-1999	University of Penn		
	6	WO 96/26285	08-29-1996	University of Penn		
	7	WO 96/40267	12-19-1996	Whitehead Inst.		

Examiner  
SignatureDate  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 2 of 3

### Complete if Known

Application Number	09/622,452
Filing Date	October 31, 2000
First Named Inventor	David B. Weiner
Art Unit	1633
Examiner Name	Anne Marie S. Wehbe
Attorney Docket Number	UPAP0011-100

### NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	8	Caamaño, et al., "Nuclear Factor (NF)- $\kappa$ B2 (p100/p52) is Required for Normal Splenic Microarchitecture and B Cell-mediated Immune Responses," <i>The Journal of Experimental Medicine</i> , (1998) 187(2):185-196.	
	9	Chattergoon, et al., "Targeted antigen delivery to antigen-presenting cells including dendritic cells by engineered Fas-mediated apoptosis," <i>Nature Biotechnology</i> (2000) 18:974-979.	
	10	Chattergoon, et al., "DR5 triggered apoptosis functions as a vaccine adjuvant by inducing caspase-8 dependent dendritic cell maturation," (27 pp.)	
	11	Chaudhary, et al., "Death Receptor 5, a New Member of the TNFR Family, and DR4 Induce FADD-Dependent apoptosis and Activate the NF- $\kappa$ B Pathway," <i>Immunity</i> (1997) 7:821-830.	
	12	Chow et al., "Development of Th1 and Th2 populations and the nature of immune responses to hepatitis B virus DNA vaccines can be modulated by codelivery of various cytokine genes," <i>J Immunol</i> (1988) 140(4):1320-1329.	
	13	Denich, et al., "Expression of the Murine Interleukin-4 Gene in an Attenuated aroA Strain of <i>Salmonella typhimurium</i> : Persistence and Immune Response in BALB/c Mice and Susceptibility to Macrophage Killing," <i>Infection and Immunity</i> , (1993) 61(11):4818-4827	
	14	Geissler et al., "Enhancement of cellular and humoral immune responses to hepatitis C virus core protein using DNA-based vaccines augmented with cytokine-expressing plasmids," <i>J Immunol</i> (1997) 158(3):1231-7.	
	15	Iwasaki et al., "Enhanced CTL responses mediated by plasmid DNA immunogens encoding costimulatory molecules and cytokines," <i>J Immunol</i> (1997) 158(10):4591-4601.	
	16	Ramshaw et al., "Expression of cytokines by recombinant vaccinia viruses: a model for studying cytokines in virus infections in vivo," <i>Immunol Rev</i> (1992) 127:157-178.	
	17	Sha, "Regulation of Immune Responses by NF- $\kappa$ B/Rel Transcription Factors," <i>J Exp Med</i> (1998) 187(2):143-146	
	18	Schneider, et al., "TRAIL Receptors 1 (DR4) and 2 (DR5) Signal FADD-Dependent Apoptosis and Activate NF- $\kappa$ B," <i>Immunity</i> (1997) 7:831-836	

Examiner Signature	Date Considered
--------------------	-----------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 3 of 3

### Complete if Known

Application Number	09/622,452
Filing Date	October 31, 2000
First Named Inventor	David B. Weiner
Art Unit	1633
Examiner Name	Anne Marie S. Wehbe
Attorney Docket Number	UPAP0011-100

### NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	19	Tsuji et al., "HIV-1-specific cell-mediated immunity is enhanced by co-inoculation of TCA3 expression plasmid with DNA vaccine," <i>Immunology</i> (1997) 90:1-6.	
	20	Xiang et al., "Manipulation of the immune response to a plasmid-encoded viral antigen by coinoculation with plasmids expressing cytokines," <i>Immunity</i> (1995) 2(2):129-135.	
	21	Goya, Inigo et al., "Identification of CCR8 as the Specific Receptor for the Human $\beta$ -Chemokine I-309: Cloning and Molecular Characterization of Murine CCR8 as the Receptor for TCA-31", <i>J. Immunol.</i> , 1998, 160: 1975-1981.	
	22	Kuna, P. et al., "Characterization of the human basophil response to cytokines, growth factors, and histamine releasing factors of the intercrine/chemokine family", <i>J. Immunol.</i> 1993 Mar 1; 150(5): 1932-43.	
	23	Lee, Tiffany et al., "Identification of CCR8: A Human Monocyte and Thymus Receptor for the CC Chemokine I-309", <i>J. Exp. Med.</i> 186(1), July 1997, 165-170.	
	24	Paolini, J.F. et al., "The chemokines IL-8, monocyte chemoattractant protein-1, and I-309 are monomers at physiologically relevant concentrations", <i>J. Immunol.</i> 1994 Sep 15; 153(6): 2704-17.	
	25	Struber Roos, Regula et al., "Identification of CCR8, the Receptor for the Human CC Chemokine I-309", <i>Am. Soc. Biochem. &amp; Mol. Biol.</i> 272(28) July 1997, 17251-17254.	
	26	Van Snick, J. et al., "I-309/T cell activation gene-3 chemokine protects murine T cell lymphomas against dexamethasone-induced apoptosis", <i>J. Immunol.</i> 1996 Sep 15; 157(6):2570-6.	
	27	Misfeldt "Microbial 'Superantigens,'" <i>Infection and Immunity</i> (1990) 58(8):2409-2413.	

Examiner  
Signature

Date  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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